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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 YUYAO TANGHONG INTERNATIONAL
13 TRADE CO., LTD., a Chinese corporate
14 entity,

15 Plaintiff,

16 vs.

17 FOHSE, INC., a Nevada corporation,

18 Defendant.

Case No.: 2:23-cv-01789-APG-BNW

**STIPULATION AND ORDER TO
WITHDRAW ENTRY OF DEFAULT
[ECF 8] AND SET DEADLINE TO
ANSWER COMPLAINT [ECF 1]**

19
20 Plaintiff Yuyao Tanghong International Trade Co. Ltd. (“Yuyao”) and Defendant FOHSE,
21 Inc. (“FOHSE”) by and through the undersigned counsel hereby stipulate to the entry of an order
22 withdrawing the Court’s entry of Default (ECF 8) in this matter and extending the deadline for
23 FOHSE to answer the complaint (ECF 1) from December 19, 2023 to January 31, 2024, now that
24 FOHSE has been able to secure as required to appear and respond in this matter. This is the first
25 request to extend the deadline to answer the complaint.

26 The Parties make this stipulation in connection with FOHSE having recently secured
27 Weide & Miller, Ltd., as counsel in this matter. FOHSE represents that, as this is a patent
28

1 infringement case concerning complex LED technology for which experienced patent prosecution
 2 and litigation counsel are required, FOHSE experienced difficulty securing such representation,
 3 in part due to the unavailability of such counsel just before and during the recent Thanksgiving
 4 and end-of-year holidays prior to the deadline to answer. As such, FOHSE was unable to timely
 5 obtain counsel after service of the complaint prior to the deadline to respond to the same despite
 6 good faith efforts to do so.

7 Upon engaging Weide & Miller, Ltd., the undersigned counsel for FOHSE called counsel
 8 for Yuyao to inform them of counsel's representation and to seek a stipulation to the withdrawal
 9 of the motion for entry of default (ECF 7) and to set a deadline to respond to the complaint
 10 sufficient to provide recently retained counsel a reasonable amount of time to review the patent
 11 infringement complaint, consult with FOHSE and prepare a response in light of FOHSE counsel's
 12 other pre-existing litigation obligations and conflicts. To that end, earlier today, the parties
 13 reached agreement on such a stipulation, setting the deadline for the answer for January 31, 2024.
 14 Unfortunately, before the stipulation could be drafted and approved by respective counsel, the
 15 Court clerk had entered the default (ECF 8) today, necessitating this stipulation to withdraw the
 16 same.

17 This request is not made for the purposes of delay or to prejudice either side, but rather
 18 for the purpose of providing counsel for FOHSE a reasonable amount of time to answer the
 19 complaint. The Parties respectfully submit that there is good cause for the requested stipulation,
 20 and FOHSE represents there is excusable neglect and good cause for extending the deadline to
 21 answer to the stipulated January 31, 2024, date.

22 NOW THEREFORE, the Parties hereby stipulate to the entry of an order setting aside the
 23 entry of Default (ECF 8), extending and setting a deadline for Defendant FOHSE to answer the
 24 Complaint (ECF 1) from December 19, 2023, to January 31, 2024.

25 DATED: January 17, 2024.

26 **BAYRAMOGLU LAW OFFICES LLC**

26 **WEIDE & MILLER, LTD**

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Attorneys for Defendant, FOHSE Inc.

IT IS SO ORDERED:



UNITED STATES DISTRICT COURT JUDGE

DATED: January 18, 2024